

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No. : 10/540416 Confirmation : 9225  
Applicant(s) : Hajime FUKUI  
Filed : June 24, 2005  
Title : IMAGE CAPTURING APPARATUS WITH LIGHT EMISSION  
CONTROLLING MECHANISM AND METHOD OF CONTROLLING THE  
IMAGE CAPTURING APPARATUS

Art Unit : 2622  
Examiner : K. L. JERABEK

Docket No. : 1232-5691  
Customer No. : 27123

**AMENDMENT AFTER FINAL UNDER 37 CFR 1.116**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the final Office Action dated October 9, 2008. Reconsideration of this application is respectfully requested in light of this paper, which is set forth as follows:

- **Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.
- **Remarks** begin on page 7 of this paper.